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[Counsel continued on next page]

**UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA
WESTERN DIVISION – LOS ANGELES**

Frankel, et al.,

Plaintiffs,

v.

Regents of the University of
California, et al.,

Defendants.

Case No. 2:24-CV-4702-MCS-PD

Assigned to Hon. Mark C. Scarsi and
Magistrate Judge Patricia Donahue

STIPULATION RE: ADR

[Filed Concurrently With Proposed Order]

Operative Compl. Filed: October 22, 2024

Discovery Cut-Off: August 4, 2025

Motion Cut-off: September 8, 2025

Trial Date: December 16, 2025

1 *[Counsel continued from previous page]*

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10 *Attorneys for Defendants*

1 Plaintiffs Yitzchok Frankel; Joshua Ghayoum; Eden Shemuelian; and Dr.
2 Kamran Shamsa (“Plaintiffs”) and Defendants The Regents of the University of
3 California; Michael V. Drake; Gene D. Block; Darnell Hunt; Michael Beck; Monroe
4 Gorden, Jr.; and Rick Braziel (“Defendants”) (collectively, the “Parties”) submit the
5 following Stipulation requesting that the Court: (1) vacate the portion of its prior
6 Order (ECF 114) referring this case to private mediation as the procedure for a
7 settlement conference or Alternative Dispute Resolution (“ADR”) and (2) instead
8 refer this case to a settlement conference in front of the magistrate judge as the
9 procedure for a settlement conference or ADR.

10 **STIPULATION**

11 1. On June 5, 2024, Plaintiffs filed a complaint in this action (ECF 1);
12 Plaintiffs thereafter filed a First Amended Complaint on October 22, 2024 (“FAC”)
13 (ECF 101). On November 26, 2024, Defendants answered the FAC (“Answer”) on
14 behalf of Defendants (ECF 107).

15 2. On November 8, 2024 counsel for the Parties participated in an early
16 meeting of counsel pursuant to Federal Rule of Civil Procedure 26(f) to discuss the
17 topics listed in the Court’s October 2, 2024 Order Setting Scheduling Conference
18 (ECF 98), Rule 26(f), and Local Rule 26.

19 3. On November 18, 2024, the Parties filed their Joint Rule 26(f) Report
20 and Discovery Plan (ECF 106), representing to the Court that they attended private
21 mediation on September 27, 2024 (see ECF 106, at page 19, lines 23-25).

22 4. On November 26, 2024, the Individual Defendants filed a Motion for
23 Judgment on the Pleadings (“MJOP”) (ECF 108).

24 5. On December 12, 2024, counsel for both Parties discussed
25 telephonically and confirmed their willingness to explore further settlement
26 discussions soon.

27 6. On December 18, 2024, this Court issued an Order Re: Jury Trial (ECF
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1 114), indicating private mediation as the procedure the Parties shall use for a
2 settlement conference or ADR (*id.* at 3). The Court’s Order Re: Jury Trial further
3 states: “The Scheduling Order indicates the procedure the Parties shall use. If the
4 Parties prefer an ADR procedure other than the one ordered by the Court, they shall
5 file a Stipulation and Proposed Order” (*id.* at 5).

6 7. On December 20, 2024, counsel for Defendants telephonically proposed
7 that the Parties participate in a settlement conference in front of the magistrate judge.

8 8. Earlier this month, Plaintiffs’ counsel advised Defendants’ counsel over
9 email that Plaintiffs would be open to a settlement conference in front of the
10 magistrate judge.

11 9. On January 13, 2025, Plaintiffs filed their Opposition to Defendants’
12 MJOP (ECF 120). Defendants’ reply is due on February 3, 2025.

13 10. On January 17, 2024, counsel for both Parties discussed telephonically
14 and confirmed their desire to participate in a settlement conference in front of the
15 magistrate judge.

16 11. Based on the foregoing, the Parties respectfully request that the Court:
17 (1) vacate the portion of its prior Order (ECF 114) referring this case to private
18 mediation as the procedure for a settlement conference or ADR; and (2) instead refer
19 this case to a settlement conference in front of the magistrate judge as the procedure
20 for a settlement conference or ADR.

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Dated: January 21, 2025

By: /s/ Matthew R. Cowan
MATTHEW R. COWAN
*Attorney for Defendants The Regents
of the University of California;
Michael V. Drake; Gene D. Block;
Darnell Hunt; Michael Beck; Monroe
Gorden, Jr.; and Rick Braziel*

Dated: January 21, 2025

By: /s/ Eric C. Rassbach
ERIC C. RASSBACH
*Attorney for Plaintiffs Yitzchok
Frankel; Joshua Ghayoum; Eden
Shemuelian; and Dr. Kamran Shamsa*

SIGNATURE ATTESTATION

Pursuant to Local Rule 5-4.3.4, I hereby attest that the other signature listed, on whose behalf the filing is submitted, concur in the filing's content and have authorized the filing.

Dated: January 21, 2025

Respectfully submitted,

By: /s/ Matthew R. Cowan

MATTHEW R. COWAN

*Attorney for Defendants The Regents
of the University of California;
Michael V. Drake; Gene D. Block;
Darnell Hunt; Michael Beck; Monroe
Gorden, Jr.; and Rick Braziel*